



Docket No.: 244228US2X

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/687,634
Applicants: Yoshitaka SASAKI, et al.
Filing Date: October 20, 2003
For: THIN FILM MAGNETIC HEAD AND
MANUFACTURING METHOD THEREOF
Group Art Unit: 2652
Examiner: CAO, A. T.

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
YOSHITAKA SASAKI, ET AL. : EXAMINER: CAO, A. T.
SERIAL NO: 10/687,634 :
FILED: OCTOBER 20, 2003 : GROUP ART UNIT: 2652
FOR: THIN FILM MAGNETIC HEAD :
AND MANUFACTURING METHOD
THEREOF

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated July 27, 2005, Applicants provisionally elect with traverse Group I, Claims 1-11 for examination on the merits in the present application. Applicant makes this election with the understanding that Applicant is not prejudiced against filing one or more divisional applications covering the non-elected claims.

Applicants traverse because, according to MPEP § 803:


If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the Office Action has identified separate classifications, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner; whereas it would be a serious burden on Applicants to prosecute and maintain separate applications on the restricted inventions.

Therefore, it is respectfully requested that the Restriction Requirement be withdrawn and a full examination on the merits of Claims 1-23 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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